

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MAGEMÄ TECHNOLOGY LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-20-2444
	§	
PHILLIPS 66, PHILLIPS 66 CO.,	§	
and WRB REFINING L.P.,	§	
	§	
Defendants.	§	

VERDICT FORM

In answering the following questions and filling out this Verdict Form, you are to follow all of the instructions that I have given you. Your answer(s) must be unanimous.

In this Verdict Form:

"Patents-in-Suit" means the '884 Patent and the '709 Patent.

INFRINGEMENT

QUESTION 1: Bayway Refinery Infringement

Did Magēmā prove by a preponderance of the evidence that the Bayway DSU-1 hydrotreater process or the DSU-1 product infringed any of the following claims of the Patents-in-Suit?

Answer "Yes" or "No" for each of the listed claims in the spaces provided below.

"Yes" is a finding for Magēmā. "No" is a finding for Phillips
66.

'884 Patent:

Claim 1 NO

Claim 5 NO

'709 Patent:

Claim 1 NO

Claim 4 NO

QUESTION 2: Wood River Refinery Infringement

Did Magēmā prove by a preponderance of the evidence that the Wood River ULD-2 hydrotreater process or the ULD-2 product infringed any of the following claims of the Patents-in-Suit?

Answer "Yes" or "No" for each of the listed claims in the spaces provided below.

"Yes" is a finding for Magēmā. "No" is a finding for Phillips 66.

'884 Patent:

Claim 1	<u>NO</u>
Claim 5	<u>NO</u>

'709 Patent:

Claim 1	<u>NO</u>
Claim 4	<u>NO</u>

Proceed to the next questions only if you have found at least one claim is infringed. Otherwise, stop, sign and date the verdict form, and do not answer the remaining questions.

DAMAGES

QUESTION 3: Bayway Refinery Damages

Answer this Question only if you answered "Yes" for at least one claim in Question 1.

What amount of reasonable royalty damages, if any, has Magēmā proven by a preponderance of the evidence would compensate Magēmā for infringement at the Bayway Refinery? Answer in dollars and cents, if any.

QUESTION 4: : Wood River Refinery Damages

Answer this Question only if you answered "Yes" for at least one claim in Question 2.

What amount of reasonable royalty damages, if any, has Magēmā proven by a preponderance of the evidence would compensate Magēmā for infringement at the Wood River Refinery? Answer in dollars and cents, if any.

WILLFUL INFRINGEMENT

QUESTION 5: Willful Infringement

Answer this Question only if you answered "Yes" for at least one claim in Question 1 or Question 2.

Did Magēmā prove by a preponderance of the evidence that any of the Phillips 66 Defendants' infringement was willful?

Answer "Yes" or "No" in the space provided below.

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the verdict form in the spaces below and bring it when the jury is brought back into the courtroom.

07/06/23

Date

Foreperson